



Entered on Docket  
November 06, 2009

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**WILDE & ASSOCIATES**

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Wells Fargo Bank, N.A. as Trustee under POOLING AND SERVICING AGREEMENT dated  
as of August 1, 2005 Asset-Backed Pass-Through Certificates Series 2005-WHQ4  
09-75490 / 0324022441

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Elsa Cruz and Edgar Cruz

Debtors.

BK-S-06-12177-lbr

MS Motion No.

Date: 10/21/09

Time: 10:30 a.m

Chapter 13

**ORDER RE ADEQUATE PROTECTION**

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing  
in the above-entitled Court, all appearances as noted on court record, and based upon all the  
papers and pleadings on file herein and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the post-petition arrearages currently due as follows:

3 Monthly Payments(s) at \$1,707.27 (May 1, 2009 - July 1, 2009)	\$5,121.81
3 Monthly Payments(s) at \$1,652.44 (August 1, 2009 - October 1, 2009)	\$4,957.32
6 Late Charge(s) at \$92.32 (May 1, 2009 - October 1, 2009)	\$553.92
Motion for Relief Filing Fee	\$750.00
Attorneys Fees	\$150.00
Total	\$11,533.05

The total arrearages shall be paid in six monthly installments. Payments one through five (1-5) in the amount of \$1,922.18 shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month commencing with the payment and continuing throughout and concluding on or before February 20, 2010. The sixth final payment in the amount of \$1,922.15 shall be paid on or before March 20, 2010.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least five business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning with the November 1, 2009, payment, on Secured Creditor's Trust obligation, encumbering the subject Property, generally described as 4153 El Oro St. , Las Vegas, NV 89121, and legally described as follows:

Lot 5 in Block 5 of Plata Del Sol Subdivision Tract No.1, as shown by Map thereof on file in Book 10, of Plats, Page 90, in the Office of the County Recorder of Clark County, Nevada.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this

1 Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may  
2 thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable  
3 State Law, and take any action necessary to obtain complete possession thereof.

4  
5 Submitted by:

6 WILDE & ASSOCIATES

7  
8 By *H. Wilde* #10235  
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10 Attorneys for Secured Creditor  
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13 APPROVED AS TO FORM & CONTENT:

14 Rick A. Yarnall

15 By *RYatt* 10-28-09

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21 By *NF Newark*

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